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PATENTS
Atty. Docket No. 45163-1005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit:	1645
Gayle DACE et al.)		
)	Examiner:	To be assigned
Serial No.:	09/879,279)	
)		
Filed:	June 12, 2001)	
)		
For:	IN VITRO CAPTURE OF NUCLEIC)	
	ACIDS VIA MODIFIED)	
	OLIGONUCLEOTIDES AND)	
	MAGNETIC BEADS)	
)		

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER And
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371, mailed August 10, 2001, enclosed please find the following. Items 1-4 are in response to the Notice to File Missing Parts of Application:

1. Return copy of the Notification of Missing Requirements under 35 U.S.C. 371, mailed August 10, 2001;
2. Check in the amount of \$280.00 to cover the surcharge for late filing of the declaration, extension fee and Assignment Recordation fee;

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Mail Service as First Class Mail on the date shown below with sufficient postage in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: November 1, 2001

Signature:


Karen M. Cruz

584008v1

3. Combined Declaration and Power of Attorney executed by the inventors;
4. Substitute Drawings in compliance with 37 C.F.R. 1.84;
5. Assignment;
6. Recordation Form Cover Sheet;
7. Petition for Extension of Time (1 mo.); and
8. Fee Transmittal.

Although it is believed no additional fee is due for this filing, in the event that the Examiner determines an additional fee is due, the Commissioner is authorized to charge any deficiency, or credit any overpayment, to our deposit account, No. 02-0410 in the name of Baker & McKenzie. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Mitchell P. Brook
Attorney for Applicant

Reg. No. 32,967

c/o BAKER & MCKENZIE
101 West Broadway, 12th Floor
San Diego, California 92101
(619) 236-1441

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 280.00)

Complete if Known

Application Number	09/879,279
Filing Date	June 12, 2001
First Named Inventor	Gayle DACE et al.
Examiner Name	To be assigned
Group Art Unit	1645
Attorney Docket No.	45163-1005

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-04210
Deposit Account Name Baker & McKenzie

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370 Utility filing fee	
106	330	206	165 Design filing fee	
107	510	207	255 Plant filing fee	
108	740	208	370 Reissue filing fee	
114	160	214	80 Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	=
Claims	-3** =	X	=
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid
109	84	209	42 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	130.00
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	110.00
116	400	216 200 Extension for reply within second month	
117	920	217 460 Extension for reply within third month	
118	1,440	218 720 Extension for reply within fourth month	
128	1,960	228 980 Extension for reply within fifth month	
119	320	219 160 Notice of Appeal	
120	320	220 160 Filing a brief in support of an appeal	
121	280	221 140 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,280	241 640 Petition to revive - unintentional	
142	1,280	242 640 Utility issue fee (or reissue)	
143	460	243 230 Design issue fee	
144	620	244 310 Plant issue fee	
122	130	122 ,130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	40.00
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 280.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Mitchell P. Brook	Registration No. (Attorney/Agent)	32,967	Telephone	(619) 236-1441
Signature				Date	10/31/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/879,279	06/12/2001	Gayle Dace	45163-1005

CONFIRMATION NO. 3524

FORMALITIES LETTER



OC00000006406505

Mitchell P. Brook
 Baker & McKenzie
 Twelfth Floor
 101 Broadway
 San Diego, CA 92101

Date Mailed: 08/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

~~Customer Service Center~~

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE